

**WARNING LETTER
AND
NOTICE OF AMENDMENT**

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

January 27, 1995

Mr. Robert Sachse, President
Mid America Pipeline Company
1800 S. Baltimore
P.O. Box 645
Tulsa, Oklahoma 74101-0645

CPF No. 35504

Dear Mr. Sachse:

On September 13-14, 1994, a representative of the Department of Public Safety, State of Minnesota, acting as an agent for interstate pipelines for the Central Region, Office of Pipeline Safety (OPS), pursuant to Chapter 601 of 49 United States Code, conducted an onsite pipeline safety inspection of your pipeline facilities from the Iowa Border to Pine Bend Terminal, the 4 inch line to Northern States Power's LNG Facility and records at Sanborn, Iowa.

As a result of the inspection, it appears that you have committed probable violations, as noted below, of pipeline safety regulations, Title 49, Code of Federal Regulations, Part 195. The items inspected and the probable violations are:

1.§ 195.402 - Procedural manual for operations, maintenance, and emergencies.

§ 195.402(a) Requires each operator to prepare and follow for each pipeline system a manual of written procedures for conducting normal operations and maintenance activities and handling abnormal operations and emergencies.

Records of pipe inspections were not completed in accordance with the requirements of your procedures, as follows:

- a. At the time of the inspection, records documenting the 1993 internal pig excavation sites were not complete in describing MAPCO findings concerning external corrosion

of exposed pipe, in accordance with §195.416(e).

- b. At the time of the inspection, records documenting the 1993 internal pig excavation sites were not complete in describing the results of MAPCO findings concerning the internal condition of the pipe, in accordance with §195.418(d). Records for some sections of pipe which were removed from the system did not have descriptions regarding the internal condition of the line.

2. § 195.402(c) Maintenance and Normal Operations.

The manual required by paragraph (a) of this section must include procedures for the following to provide safety during maintenance and normal operations:

§195.402(c)(3) further requires that the procedures must provide for operations, maintenance, and repair of the pipeline system in accordance with each of the requirements of Subpart F of Part 195.

- a. § 195.402(c)(12) Establishing and maintaining liaison with fire, police, and other appropriate officials to learn the responsibility and resources of each government organization that may respond to a hazardous liquid or carbon dioxide pipeline emergency.

At the time of the inspection, Mid America Pipeline Company (MAPCO) did not have the correct phone numbers for the Minnesota Duty Officer, which is stationed in the Division of Emergency Management (DEM).

- b. § 195.416 - External corrosion control.

§ 195.416(a) Requires each operator to, at intervals not exceeding 15 months, but at least once each calendar year, conduct tests on each underground facility in its pipeline systems that is under cathodic protection to determine whether the protection is adequate.

At the time of inspection, MAPCO did not have a procedure which demonstrated consideration of "IR Drop" when testing the adequacy of cathodic protection of its pipeline systems. (Note: This finding is consistent with the finding from the Federal OPS team inspection conducted June 21-22, 1994.)

3. **§ 195.412(a) Each operator shall, at intervals not exceeding 3 weeks, but at least 26 times each calendar year, inspect the surface conditions on or adjacent to each pipeline right-of-way.**

At the time of the inspection, several locations on the northern portion of the pipeline right-of-way had trees (up to 30 feet tall) which could prevent aerial patrols from inspecting the surface conditions on the right-of-way. Some sections covered by trees extended one-fourth of a mile. Records did not indicate that ground patrols had been performed.

Under 49 United States Code § 60122, you are subject to a civil penalty not to exceed \$25,000 for each violation for each day the violation persists up to a maximum of \$500,000 for any related series of violations.

We have reviewed the circumstances and supporting documents involved for violations in Items 1, 2a and 3 in this case, and have decided not to assess you a civil penalty. We advise you, however, that should you not correct the circumstances leading to the violations, we will take enforcement action when and if the continued violation comes to our attention.

In regard to item number 2b, relating to deficiencies in your written procedures for operations, maintenance, and emergencies, the Office of Pipeline Safety is issuing to you a Notice of Amendment requiring that your procedures be amended to comply with the requirements of the regulations referenced.

When it is found that an operator's procedures are inadequate, 49 C.F.R. § 190.237 provides that the operator, after notice and opportunity for hearing may be required to amend its plans and procedures. This letter serves to provide you with notice of the inadequate procedures and the response options as prescribed under § 190.237. The operator is allowed thirty (30) days after receipt of such notice to submit written comments or request a hearing. After considering the material presented, the Office of Pipeline Safety is required to notify the operator of the required amendment or withdraw the notice proposing the amendment. If you do not desire to contest the notice, please provide the revised procedures within thirty (30) days of receipt of this notice.

Sincerely,

Ivan A. Huntoon
Director, Central Region
Office of Pipeline Safety